

Notice of Allowability

Application No.

09/290,363

Examiner

CUONG H. NGUYEN

Applicant(s)

PEINADO ET AL.

Art Unit

3661

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 11/28/05 (the after-final amendment).
2. ☒ The allowed claim(s) is/are 1-14, 17-43, 46-67, 70-95, 98-117, 120-135, 138-142; now 1-130. Formal drawings are accepted (8/22/02).
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.


Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


CUONG H. NGUYEN
Primary Examiner
Art Unit: 3661

DETAILED ACTION

1. This Office Action is the answer to the After-Final amendment received on 11/18/2005.

Status of the claims

2. Claims 1-14, 17-43, 46-67, 70-95, 98-117, 120-135, and 138-142 are pending. Claim 102 is amended to be dependent on claim 83.

Drawings

3. Formal drawings were acceptable by the examiner on 8/22/2002.

Allowable Subject Matter & Reasons for Allowance

4. Independent claims 1, and 56 are patentable over the closest references of Krishnan, Stefik, Rabne et al., Downs et al, Clark, and Shear et al., because they do not anticipate nor fairly and reasonably teach an enforcement architecture for digital rights management, wherein the architecture enforce rights in protected digital content, besides other limitations, comprising:
- a license server for issuing digital license corresponding to a digital content wherein the content server distributes the digital content in an encrypted form, and wherein the digital right management system includes a trusted black box for performing decryption and encryption functions.
5. Independent claim 30 is patentable over the closest references of Krishnan, Stefik, Rabne et al., Downs et al, Clark, and Shear et al., because they do not anticipate nor fairly and reasonably teach a method for implementing digital rights management, wherein the method enforce rights in protected digital content, besides other limitations, comprising:

- issuing by a license server a digital license that is separate from said digital content; and distributing, by the content server, said digital content in an encrypted form, and employing a trusted black box in the digital rights management system to perform decryption and encryption functions.

6. Independent claim 83 is patentable over the closest references of Krishnan, Stefik, Rabne et al., Downs et al, Clark, and Shear et al., because they do not anticipate nor fairly and reasonably teach an enforcement architecture for digital rights management (DRM), wherein the architecture enforces rights in protected digital content, besides other limitations, comprising:

- a content server distributes the digital content in an encrypted form, wherein the DRM system includes a trusted black box for performing decryption and encryption functions for such DRM system, wherein the black box includes a unique public/private key pair, and wherein a license server issues each digital license in response to a license request from the DRM system, the license including the black box public key, the license server encrypting said digital license according to the black box public key prior to issuance of such license, thereby binding such license to such black box.

7. Independent claim 106 is patentable over the closest references of Krishnan, Stefik, Rabne et al., Downs et al, Clark, and Shear et al., because they do not anticipate nor fairly and reasonably teach a computer-readable medium having stored instructions for enforcing rights in protected digital content, besides other limitations, comprising:

- receiving the digital content in an encrypted form, and further comprises performing decryption of the digital content by a trusted black box of the DRM system.

8. Independent claim 126 is patentable over the closest references of Krishnan, Stefik, Rabne et al., Downs et al, Clark, and Shear et al., because they do not anticipate nor fairly and reasonably teach a method for implementing digital rights management (DRM), wherein the method enforces rights in protected digital contend, besides other limitations, comprising:

- employing a trusted black box in the DRM system to perform decryption and encryption functions, wherein said black box includes a public/private key pair, and wherein requesting the digital license comprises including in the request the black box public key, wherein the license server encrypts a portion of the digital license according to the black box public key prior to issuance of such license, thereby binding such license to such black box.

9. Claims 2-14, 17-29, 31-43, 46-55, 57-67, 70-95, 98-117, 120-135, 138-142 are allowed because they are dependent on claims 1, 30, 56, 83, 106, 126.

Conclusion

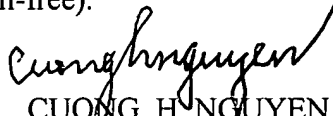
10. Claims 1-14, 17-43, 46-67, 70-95, 98-117, 120-135, and 138-142 are patentable. They are renumbered as claims 1-130.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to CUONG H. NGUYEN whose telephone number is 571-272-6759. The examiner can normally be reached on 9:30 am - 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, THOMAS G. BLACK can be reached on 571-272-6956. The Rightfax number for the organization where this application is assigned is 571-273-6956.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


CUONG H. NGUYEN
Primary Examiner
Art Unit 3661